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Docket No.: 0941-0873P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Su-Chen LAI

Application No.: 10/730,081

Confirmation No.: 002781

Filed: December 9, 2003

Art Unit: 2812

For: METHOD FOR FORMING A BOTTLE-  
SHAPED TRENCH

Examiner: J. M. Kennedy

**REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the April 6, 2005 Notice of Non-Compliant Amendment, the Examiner has indicated that claim 5 is not original because "an amendment has been made to the claim to change the subscripts of the chemical compound." It is respectfully submitted that the Examiner is incorrect, as the originally filed claim 5 did not contain subscripts. Accordingly, an objection to the claims in the Examiner's next office action, requiring an amendment to include subscripts in this claim, would have been more appropriate.

Although the Examiner's requirement is improper, attached hereto is a revised version of the "Amendments to the Claims" section of the December 30, 2004 Amendment. This revised version has amended claim 5 to include subscripts. It is respectfully submitted that because an amendment has now been made to this claim

from the originally filed version, the status identifier has been changed from "(Original)" to "(Currently Amended)."

The present submission is being timely filed within thirty (30) days of the mailing date of the Notice. Accordingly, no extension of time fees should be due.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: May 6, 2005

Respectfully submitted

By 

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